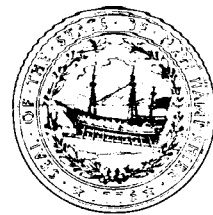




September 3, 2004

The State of New Hampshire
Department of Environmental Services

Michael P. Nolin
Commissioner



LETTER OF DEFICIENCY #WSEB 04-146
Certified Mail #7000 0600 0023 9933 7739

Rico Colaluca
Valleywide Property Management
PO Box 221
Invervale, NH 03845-0221

Subject: Bartlett - Public Water System: Mountainside at Attitash (EPA #0162210)

Dear Mr. Colaluca:

The records of the NH Department of Environmental Services (DES) show that Mountainside at Attitash water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit samples according to the system's established Master Sampling Schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rule Env-Ws 321 through 330.

The federal Environmental Protection Agency promulgated new radionuclide rules governing the acceptable levels of radionuclides in the Nation's community public water systems. Consequently, DES recently adopted new rules in conformance with the federal requirements. New maximum contaminant levels (MCLs) were established and additional requirements instituted for the currently regulated radionuclides. (Note that the new Uranium standard became effective in January, 2004 and compliance will be determined upon completion of four quarterly samples.)

DES received results for radionuclide samples collected on March 23, 2004, indicating compliance gross alpha was present at a level of 32 pCi/L. The MCL for compliance gross alpha is 15 pCi/L. As a result, DES requested the water system to collect a confirmation sample. The confirmation sample, collected on June 15, 2004, indicated a compliance gross alpha level of 37 pCi/L. The average of the two samples, 34.5 pCi/L, violates the MCL for compliance gross alpha.

DES acknowledges that on March 22, 2004, your system received a new schedule with a letter stating that your system met the grandfathering data requirements. **Due to the elevated levels of radionuclides**, as specified above, **your grandfathered status for compliance gross alpha has been rescinded**. Quarterly sampling for compliance gross alpha, beginning with the fourth quarter of 2004, is required until compliance with the MCL has been achieved. The sampling year for the combined Radium 226 & 228 remains as 2008.

DES believes the MCL violation can be corrected and future violations prevented by taking the following actions:

1. **By September 20, 2004**, provide public notice of the exceedance following the guidelines on the enclosed public notice handout. Continue providing public notice **each calendar quarter** for as long as the exceedance occurs; and
2. Upon request, you shall make alternate (*i.e.* bottled) water available for human consumption. If bottled water is used, the source must be an approved source, monitored in accordance with Env-Ws 389;
3. **With 10 days of providing public notice**, provide proof of public notice to this office following the guidelines on the enclosed public notice handout.
4. **By September 20, 2004**, retain the services of a qualified consultant to address the water quality violation(s) and notify DES, in writing, of the name of the consultant hired. The consultant should review all existing water quality data prior to making recommendations for correcting the MCL violation(s); and
5. **By November 3, 2004**, submit to DES the consultant's report, which shall contain the consultant's recommendations, and cost estimates, along with an implementation schedule to correct the MCL violation(s). A maintenance schedule must be included if treatment is proposed. DES must approve the consultant's report/recommendations, the maintenance schedule, and the proposed implementation schedule prior to any work being done on the system; and
6. By the DES-approved correction date, take the corrective action as approved by DES. Notify DES in writing upon completion of the action(s) taken; and
7. Continue to sample in accordance with your Master Sampling Schedule which has been modified to include **quarterly sampling** for compliance gross alpha through 2007.

In the event compliance is not achieved within this period, DES may take further enforcement action. These actions include issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The information as requested above should be addressed as follows or faxed to (603) 271-5171:

Betsey McNaughten
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

It is important to also note that while a Radon standard has not yet been finalized, your levels have ranged from 13,000 - 2578 pCi/L. The most recent Federal standard proposed was 4,000 pCi/L if a Multimedia Mitigation Program (MMM) was in effect for that community. Without such an MMM program the maximum acceptable Radon level in drinking water could not exceed 300 pCi/L.

For your information, a fact sheet on Mineral Radioactivity is available on our website at: <http://www.des.state.nh.us/ws.htm>. This includes general information, health effects and removal options. Please be reminded that proposed treatment alternatives should take into consideration all water quality parameters as well as current and future quantity needs. Bernie Lucey, P.E., may be able to answer questions concerning treatment for the aforementioned contaminant(s). He may be reached at (603) 271-2952 or via email at blucey@des.state.nh.us. If you have any questions regarding this letter, please contact Selina J. Makofsky, P.G., at (603) 271-4109 or by email at smakofsky@des.state.nh.us.

Sincerely,



Rene Pelletier, P.G., Manager
Land Resource Programs

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Encls: Master Sampling Schedule
Public Notice Form

cc: Gretchen R. Hamel, DES Legal Unit Administrator (w/out encl.)
Bernie Lucey, P.E., DES (via email w/out encl.)
Dave Chase, H&HS (w/out encl.)
Jeanne D. Lawson, DES (w/out encl.)
Town of Bartlett Health Officer (w/out encl.)
Sheila Lundrigan, Valleywide Property Management, Primary Contact
Kathleen Gardner, Lakes Region Water Co., Primary Operator
EPA, Region 1 (w/out encl.)
File